

Ivan Georg Hesdey Winter

Wielewaalstraat 37-b
3083KW Rotterdam
The Netherlands
ivan.winter09@gmail.com
10-12-2024



United States Bankruptcy Court
District of Delaware
824 North Market Street, 3rd Floor
Wilmington, DE 19801

Re: Response to One Hundred Seventeenth Omnibus Objection to Late Filed Claims (Case No. 22-11068)

To the Honorable Judge Dorsey and Counsel for the Debtors,

I am writing in response to the One Hundred Seventeenth Omnibus Objection to Certain Late Filed Claims in the Chapter 11 bankruptcy case of FTX Trading Ltd. et al. (Case No. 22-11068). Specifically, I wish to address my claim, numbered 96303, which was filed under FTX EU Ltd. on July 13, 2024, and includes assets such as AAVE, AVAX, BCH, BTC, ETH, LINK, SOL, USD, and XRP.

Explanation for Late Filing

I acknowledge that my claim was submitted after the Customer Bar Date of September 29, 2023. The delay in filing was due to technical difficulties accessing my account and navigating the claims process on FTX's platform, which was experiencing frequent outages and disruptions during the bankruptcy period. Additionally, critical communications regarding the filing deadline were missed due to the widespread confusion and breakdown in customer support services at FTX.

I made numerous attempts to gain access to the necessary information regarding my assets, but the issues persisted. Upon finally being able to confirm my holdings and gather the necessary documentation, I promptly filed my claim on July 13, 2024.

The Need for Fair Consideration

I respectfully request the Court to allow my claim, despite its late submission, on the grounds that I am a genuine creditor who holds a legitimate stake in FTX EU Ltd. My claim represents substantial assets totaling 5 BTC, 32 ETH, 100 SOL, and \$32,000 USD, among other tokens, which were all legally held within FTX's platform prior to its collapse. These funds are a significant part of my financial portfolio and their inclusion in this proceeding is critical to my financial recovery.

Lack of Prejudice to Timely Filers

Allowing my claim, along with other similarly situated late claims, will not unduly prejudice the interests of other creditors who submitted their claims on time. My assets were already held by FTX EU Ltd., and their inclusion will not diminish the fair distribution of the Debtors' remaining estate. The delay in my submission was procedural, not substantive, and the validity of my holdings remains uncontested.

Legal Basis for Allowing Late Claims

The Court has the discretion to extend the bar date under Rule 3003(c)(3) of the Federal Rules of Bankruptcy Procedure, particularly when the delay in filing was the result of excusable neglect. In my case, the reasons for the delay fall under this category, given the technical challenges and lack of adequate communication from FTX during the critical filing period. I believe it is within the spirit of equity and fairness to grant relief from the strict bar date and allow my claim to be considered.

Conclusion

In light of the above, I respectfully request that the Court overrule the Debtors' objection to my claim and allow it in full. I am fully prepared to provide any additional documentation or clarification the Court may require and am available to discuss my case further.

Thank you for your attention to this matter, and I look forward to a fair and just resolution.

Sincerely,
Ivan George hesdey Winter
Wielewaalstraat 37-b
3083KW Rotterdam
The Netherlands
+31636204089
ivan.winter09@gmail.com